



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	JOHNSON et al.	Examiner:	Garcia, G.
Serial No.:	09/550,219	Group Art Unit:	2624
Filed:	April 17, 2000	Docket No.:	BLD920000003US1 (IBMN.009-0519)
Title:	METHOD AND APPARATUS FOR PROCESSING PRINT JOBS VIA PARALLEL SPOOLING AND DESPOOLING OPERATIONS		

CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence and the papers, as described hereinabove, are being deposited in the United States Postal Service, as first class mail, in an envelope addressed to: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on April 30, 2007.

By: 

David W. Lynch

**PETITION FOR WITHDRAWING THE HOLDING OF ABANDONMENT, OR IN THE
ALTERNATIVE, PETITION TO REVIVE AN UNAVOIDABLY ABANDONED
APPLICATION UNDER 37 C.F.R. § 1.137(a) OR, IN THE ALTERNATIVE, PETITION
TO REVIVE AN UNINTENTIONALLY ABANDONED APPLICATION UNDER 37
C.F.R. § 1.137(b)**

Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Petitioner received an Office Action dated September 6, 2005. The Office Action did not include a clear and unequivocal statement that the rejections were made final because the page of the Office Action, i.e., Summary Sheet PTOL-326, indicated that the Office Action was non-final because the box in paragraph 2b includes a typewritten "X" indicating the action is non-final. A copy of the September 6, 2005 Office Action is attached hereto. The box paragraph 2a contained no marking, handwritten, typewritten or otherwise. A copy of the September 6, 2005 Office Action clearly showing the whether the boxes were marked is attached hereto.

Believing the status of the Office Action to be non-final, Petitioner submitted a response dated December 6, 2005. After expiration of the six-month statutory period for response,

00000009 503669 09550219

300.00 DA



PATENT

PAC
\$
TRU

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: JOHNSON et al. Examiner: Garcia, G.
Serial No.: 09/550,219 Group Art Unit: 2624
Filed: April 17, 2000 Docket No.: BLD920000003US1
(IBMN.009-0519)
Title: METHOD AND APPARATUS FOR PROCESSING PRINT JOBS VIA
PARALLEL SPOOLING AND DESPOOLING OPERATIONS

CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence and the papers, as described hereinabove, are being deposited in the United States Postal Service, as first class mail, in an envelope addressed to: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on April 30, 2007.

date: 05/24/2007 CKHLDK
552:20.00 0000 003 503669 09550219
130.00 CR

By: 
David W. Lynch

TERMINAL DISCLAIMER UNDER 37 C.F.R. § 1.321

Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Petitioner, International Business Machines Corporation, a corporation having its primary place of business in Armonk, NY, is the owner of the entire right, title and interest in U.S. Patent Application Serial No. 09/550,219, filed on April 17, 2000, and entitled METHOD AND APPARATUS FOR PROCESSING PRINT JOBS VIA PARALLEL SPOOLING AND DESPOOLING OPERATIONS.

Petitioner, International Business Machines Corporation, hereby disclaims, except as provided below, a terminal part of the term of any patent granted thereon equivalent to the period of abandonment of the application, and any patent so granted on the instant application shall be enforceable only for and during such period that the instant application and the above listed patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors, or assigns.

05/04/2007 SSANDARA 00000003 503669 09550219
02 FC:1814 130.00 DA

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: JOHNSON et al. Examiner: Evans, A.
Serial No.: 09/550,219 Group Art Unit: 2622
Filed: April 17, 2000 Docket No.: BLD920000003US1
(2003901-0519)
Title: METHOD AND APPARATUS FOR PROCESSING PRINT JOBS VIA
PARALLEL SPOOLING AND DESPOOLING OPERATIONS

CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence and the papers, as described hereinabove, are being deposited in the United States Postal Service, as first class mail, in an envelope addressed to: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on April 30, 2007.

By: 

David W. Lynch

TRANSMITTAL

Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

1. Petition For Withdrawing The Holding Of Abandonment, Or In The Alternative, Petition To Revive An Unavoidably Abandoned Application Under 37 C.F.R. § 1.137(a) Or, In The Alternative, Petition To Revive An Unintentionally Abandoned Application Under 37 C.F.R. § 1.137(b).
2. This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.
3. A Preliminary Amendment (pages 1-13) in response to the Office Action of September 6, 2005 is included.
4. Terminal Disclaimer
5. Fees
The charge of \$790.00 for the RCE filing fee was paid March 30, 2006.
Please charge Deposit Account No. 50-3669 (BLD920000003US1) the fee of \$130.00 for for filing of the Terminal Disclaimer.

05/04/2007 SSANDARA 00000003 503669 09550219

01 FC:1801 790.00 DA

05/24/2007 CKHLOK
SSANDARA 00000003 503669 09550219
790.00 CR

UNITED STATES PATENT & TRADEMARK OFFICE
Washington, D.C. 20231

REQUEST FOR PATENT FEE REFUND									
1 Date of Request: 05/21/07				2 Serial/Patent # 09/550,219					
3 Please refund the following fee(s):				4 PAPER NUMBER		5 DATE FILED		6 AMOUNT	
X	Filing					05/02/07		\$ 790.00	
	Amendment							\$	
	Extension of Time							\$	
	Notice of Appeal/Appeal							\$	
	Petition							\$	
	Issue							\$	
X	Cert of Correction/Terminal Disc.					05/02/07		\$ 130.00	
	Maintenance							\$	
	Assignment							\$	
	Other							\$	
				7 TOTAL AMOUNT OF REFUND			\$ 920.00		
				8 TO BE REFUNDED BY:					
10 REASON:				Treasury Check					
	Overpayment			X		Credit Deposit A/C #:			
X	Duplicate Payment					9 5 0 -- 3 6 6 9			
X	No Fee Due (Explanation):								
Don't need a td since application was filed on April 17, 2000. RCE fee charged twice.									
11 REFUND REQUESTED BY:									
TYPED/PRINTED NAME: Shirene Willis Brantley				TITLE: Petitions Attorney					
SIGNATURE: /SWB/				PHONE: 571 272-3230					
OFFICE: Office of Petitions									
***** THIS SPACE RESERVED FOR FINANCE USE ONLY: *****									
APPROVED:				DATE: 5/24/07					

Instructions for completion of this form appear on the back. After completion, attach white and yellow copies to the official file and mail or hand-carry to:

**Office of Finance
Refund Branch
Crystal Park One, Room 802B**